

**REMARKS**

Claims 1-4, 6-10, and 21 are pending in the application. Claims 1, 2, and 6 have been amended herein. Claims 5 and 11-20 are cancelled. Claim 21 has been added. Favorable reconsideration of the application, as amended, is respectfully requested.

***I. AMENDED TITLE***

The Examiner has objected to the title of the invention as being not descriptive. Applicants have amended the title to recite VIDEO DATA PROCESSOR HAVING CONVERTING SECTION FOR PRODUCING NTSC- or PAL-COMPLIANT SYNTHETIC VIDEO DATA. Accordingly, withdrawal of the objection is hereby respectfully requested.

***II. REJECTION UNDER 35 USC §112, second paragraph***

Claims 1-4 and 6-10 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner notes that the recitation “to be presented by switching a plurality of pictures one after another at a first vertical scanning frequency” and “to be presented by switching the pictures at a second vertical scanning frequency, which is different from the first vertical scanning frequency”, as contained in claim 1, is indefinite because they define how the video signal might be, or is intended to be, displayed rather than defining the format/content of the video itself.

As suggested by the Examiner, said recitations have been amended to respectively recite: “having a first picture rate” and “having a second picture rate, which is different from the first picture rate”.

A similar amendment has been made in claim 2 to comport with the amendments made in claim 1.

Accordingly, withdrawal of the rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

**III. REJECTION UNDER 35 USC §101**

The Examiner has rejected claims 11-20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 11-20 have been cancelled. Accordingly, the rejection under 35 U.S.C. § 101 is moot, and Applicants respectfully request withdrawal of the rejection.

**IV. REJECTION UNDER 35 USC §103(a)**

Claims 1-20 stand rejected under 35 USC §103(a) as being unpatentable over *Lin* (United States Patent No. 7,042,511) in view of *Matsuda* (Japanese Patent Document No. 2000-92458). Applicants respectfully request withdrawal of the rejection for at least the following reasons.

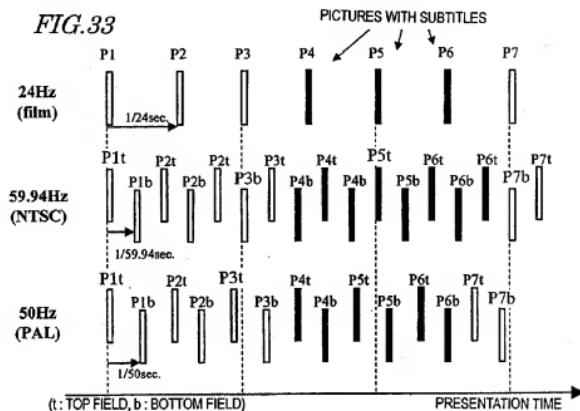
**i. Claim Amendments**

Applicants have amended independent claim 1 to include features of cancelled claim 5, as well as features relating to the conversion section of the present invention. Support for the amendments may be found, for example, in Figures 32-34 and the accompanying descriptions.

Specifically, claim 1 has been amended to recite that, in converting the first primary video data and the first auxiliary video data of a film material into NTSC- or PAL-compliant synthetic video data, the converting section associates second auxiliary video, having the same contents as the first auxiliary video on a picture of the first primary video, with a plurality of pictures of second primary video, corresponding to the picture of the first primary video.

These features are exemplified in the embodiment illustrated in Figure 33 of the specification.

FIG. 33



Here, the first primary video may be identified as the 24Hz film, which is described in the specification as HD video picture data. The second primary video may be identified as the NTSC or the PAL video data, which is SD video picture data. In this embodiment, the conversion from HD video picture data to SD video picture data includes the conversion of a picture (for example, P1) into two fields (for example, P1t and P1b). Hence, the conversion results in each HD picture being represented as a plurality of SD pictures, the SD pictures being presented at a different timing from the original timing defined by 24Hz.

On an SD video picture obtained from its associated HD video picture, a subtitle, having the same contents as the counterpart on the HD video picture, needs to be presented. To effectuate this presentation, the converting section converts the subtitle data of the identified HD video (first auxiliary video) into subtitle data of SD video (second auxiliary video). The subtitle data of SD video, having the same content as the HD subtitle data, is then associated with the plurality of pictures of the SD video picture

that correspond to the HD video picture. Accordingly, even after the film material has been converted into an NTSC- or PAL-compliant picture, the correlation between the subtitles and the moving pictures on which the subtitles are superimposed is maintained.

Hence, the conversion section, as claimed, allows for the generation of synthetic video composed of the second primary video and the second auxiliary video, wherein the second primary video and the second auxiliary video are synchronized with each other. Furthermore, NTSC-compliant synthetic video data having 59.94Hz or PAL-compliant synthetic video data having 50Hz can be obtained.

**ii. Lin does not teach the converting section as claimed in the present invention**

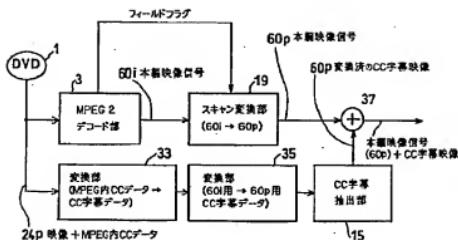
*Lin* is directed to an apparatus and a method for video data processing in DVD decoding, capable of performing video-frame aspect-ratio conversion. In describing the background of the invention, *Lin* discloses a conventional video data processing system for sub-picture unit decoding, video scaling, and video and sub-pictures mixing, represented by Figure 1, below.

*Lin* does not teach the converting section, as is recited in claim 1. As admitted by the Examiner, the conversion as taught by Lin relates to image scaling (e.g., aspect ratio conversion), not to picture/frame rate.

**iii. Matsuda does not cure the deficiencies of Lin**

*Matsuda* is directed to a video-signal playback device that up-converts a 60i interlaced signal to a 60p progressive signal. Figure 8 of *Matsuda*, reproduced below, illustrates the device.

【図8】



The video signal is decoded by decode part 3 and converted from 60i to 60p by converter part 19.

The closed caption (CC) data in MPEG is changed into CC subtitle data in a converter 33 (*Matsuda* at [0042]). The CC subtitle data is then converted by converter 35 from a 60i signal into the form of 2X CC title data for mixing with the 60p video signal (*Matsuda* at [0044], Fig. 10). An adding machine 37 then combines the video signal and 2X CC title data.

*Matsuda* does not teach that, in converting the first primary video data and the first auxiliary video data of a film material into NTSC- or PAL-compliant synthetic video data, the converting section associates second auxiliary video, having the same contents as the first auxiliary video on a picture of the first primary video, with a plurality of pictures of second primary video, corresponding to the picture of the first primary video, as recited in amended claim 1.

Rather, the subtitle data conversion at converter 35, as disclosed in *Matsuda*, simply doubles the speed (2X CC, from 60i to 60p) of the subtitle data so the subtitle data may be combined and viewed with the 60p progressive scan video.

Neither NTSC- nor PAL-compliant synthetic video data composed of the plurality of pictures of second primary video and the second auxiliary video is obtained by the conversion performed by *Matsuda*.

Furthermore, Matsuda fails to define an association rule for conversion of the video data and closed caption to NTSC or PAL- compliant synthetic video.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that independent claim 1 is neither anticipated nor rendered obvious in view of *Lin* and *Matsuda*. Applicants further submit that claims 2-4 and 6-10, which depend from claim 1, are neither anticipated nor rendered obvious in view of *Lin* and *Matsuda* for at least the same reasons.

#### **V. NEWLY ADDED CLAIMS**

Applicants have added claim 21, which depends from claim 1 and finds support, for example, in S803 and S804 of Figure 32, and the accompanying descriptions. Accordingly, claim 21 contains at least the claim features discussed above in relation to claim 1. Furthermore, neither *Lin* nor *Matsuda* teach that the converting section identifies the first primary video and the first auxiliary video on the first primary video based on the respective timing information to present the first primary video and the first auxiliary video. Therefore, Applicants respectfully submit that claim 21 is neither anticipated nor rendered obvious in view of *Lin* and *Matsuda*.

#### **VI. CONCLUSION**

Accordingly, all claims 1-4, 6-10, and 21 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino  
Reg. No. 34,243

DATE: January 28, 2009

The Keith Building  
1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115  
(216) 621-1113